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HOUSE BILL 484

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Sheryl Williams Stapleton

AN ACT

RELATING TO FIREFIGHTERS; PROVIDING FOR A DISTRIBUTION TO THE
FIREFIGHTERS' SURVIVORS FUND; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-3-422 NMSA 1978 (being Laws 1998,
Chapter 21, Section 1, as amended) is amended to read:

"66-3-422. SPECIAL REGISTRATION PLATES FOR FIREFIGHTERS
AND VOLUNTEER FIREFIGHTERS.--

A. The department shall issue special registration
plates to [~~any~~] a person employed as a New Mexico firefighter,
upon the submission by the person of proof satisfactory to the
[~~division~~] department that [~~he~~] the person is currently
employed as a New Mexico firefighter, including submission of a
signed consent form from the fire chief.

B. The department shall issue special registration

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1 plates to ~~[any]~~ a person who is an active volunteer firefighter
2 with a volunteer fire department recognized by the state fire
3 ~~[marshal's office]~~ marshal upon the submission by the person of
4 proof satisfactory to the department that ~~[he]~~ the person is
5 currently an active member of a recognized volunteer fire
6 department. Such proof shall include the submission of a
7 signed consent form from the fire chief.

8 C. ~~[No]~~ A person shall ~~[represent himself to be]~~
9 not make any representation as being a New Mexico firefighter
10 or volunteer firefighter if ~~[he]~~ the person is not, in fact,
11 ~~[not]~~ a New Mexico firefighter or volunteer firefighter. The
12 secretary shall determine what constitutes satisfactory proof
13 of employment as a New Mexico firefighter or status as a
14 volunteer firefighter.

15 D. A person who violates the provisions of
16 Subsection C of this section is guilty of a petty misdemeanor
17 and shall be sentenced pursuant to Section 31-19-1 NMSA 1978.

18 E. A fee of twenty-five dollars (\$25.00), which
19 ~~[shall be]~~ is in addition to the regular motor vehicle
20 registration fee, shall be collected by the department for the
21 original issuance of the special registration plate for New
22 Mexico firefighters and volunteer firefighters.

23 F. Ten dollars (\$10.00) of the fee collected
24 pursuant to Subsection E of this section shall be retained by
25 the department and ~~[shall be]~~ is appropriated to the department

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1 to defray the cost of making and issuing special registration
2 plates for New Mexico firefighters and volunteer firefighters.

3 G. The amount of the fee collected pursuant to this
4 section less any amount distributed pursuant to Subsection F of
5 this section shall be deposited in the [~~motor vehicle suspense~~
6 ~~fund for distribution in accordance with Section 66-6-23 NMSA~~
7 ~~1978~~] firefighters' survivors fund.

8 H. The secretary shall approve the final plate
9 design for the special registration plates for New Mexico
10 firefighters in accordance with New Mexico law. The secretary
11 shall approve and issue a separate and distinctive plate
12 clearly marked as "volunteer" for issuance to volunteer
13 firefighters.

14 I. When [~~the firefighter~~] a person holding a
15 special plate pursuant to this section ceases to be employed
16 as a firefighter or serve as an active volunteer firefighter,
17 [~~he~~] the person shall immediately remove the plate from the
18 vehicle and return it to the secretary, at which time it
19 shall be exchanged for a regular registration plate. [~~When~~] A
20 firefighter [~~holding~~] who holds a special plate and retires
21 [~~from his position as firefighter, he~~] may retain the special
22 plate."

23 Section 2. EFFECTIVE DATE--CONTINGENCY.--

24 A. Except as provided in Subsection B of this
25 section, the effective date of the provisions of this act is

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1 July 1, 2007.

2 B. This act is contingent upon the enactment into
3 law of House Bill 377 or Senate Bill 329 or a substantially
4 similar bill of the first session of the forty-eighth
5 legislature that creates the firefighters' survivors fund.
6 If no such bill is enacted into law, the provisions of this
7 act shall not become effective.

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